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EXAMINER

MENDOZA JR, JORGE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/675,448	Applicant(s) KARAOGUZ ET AL.	
	Examiner JORGE MENDOZA JR	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/09/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims **1-31** are presented for Examination.
2. Claims **1-5, 8-15, 18-21, and 30-31** have been amended.

Drawings

3. The drawings were received on **05/09/2008**. These drawings are accepted.

Response to Arguments

4. Applicant's arguments with respect to Claims **1-31** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **1-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Chen et al. (US Patent No. 6,553,100)** in view of **Omoigui (US Patent No. 6,694,352)**.

With respect to Claim **1**, the claimed “*receiving, at a first geographic location, an alert from a first device coupled to the communication network*” is met by Chen et al. that teach the use of an intelligent processor (100) in receiving an alert from alarm event

detectors (510,520) via a network (200) at a 1st geographic location, i.e. a subscribers' home (*Abstract; Fig.1&5; col.1, lines 17-19; col. 1, lines 54-55; col.2; lines 27-32; col.5, lines 51-54; & col.9, lines 47-48*). The claimed "*generating within a home; a message corresponding to said received alert;*" is met by Chen et al. that teach the generation & transmittal by an intelligent processor (100), located on-premise, of an alert message to a user's television (310,320) located with a subscribers' home (*Fig.5; col.1, lines 61-67; col.6, lines 40-48; col.8, lines 46-53; & col.9, lines 54-57*).

The claimed "*routing said generated message to a location that is remote from said first geographic location, based on a prior authorization level established by a user command*" is met in part by Chen et al. that teach that if no acknowledgement is received in response to an alert transmitted to on-premise devices (330,340), the intelligent processor (100) attempts to alert the user at off-premise devices (410,420, 430) that are located at a remote location from 1st geographic location (*col.4, lines 51-57*). The Chen et al. reference is silent with respect to routing said alert to a remote location "*based on a prior authorization level established by a user command*"

However, in the same field of endeavor, Omoigui teaches a method for enabling user to register for notifications pertaining to electronic presentations of interest- whereby a user is able to influence the notification routing by specifically indicating the notification method to be used: i.e. Email, Fax, Pager, Other (*Fig.8; Abstract; col.13, lines 34-47*). The Examiner further points out that the claimed "*authorization level*" has been given the broadest reasonable interpretation in light of the specification and viewed as

being binary (either allowing or not allowing an alert to be routed to a remote location) as taught by the Omoigui reference.

It would have been obvious to one skilled in the art at the time the invention was made to have combined the teaching of Chen et al. with those of Omoigui in order to enable a user to have control over which devices a given notification is routed to. A person of ordinary skill in the art would have been motivated to make such a modification to the Chen et al. reference in order to allow a user more intractability with the system, thereby improving the efficiency of the notification system.

With respect to Claim **2**, the claimed *"comprising displaying said generated message along with a media broadcast on said television screen within said home"* is met by Chen et al. that teach the transmittal of an alert message to a user's television while they are watching a media broadcast (*col.1, lines 61-67; col.3; lines 47-53 and col. 8, lines 34-39 & lines 56-59*).

With respect to Claim **3**, the claimed *"comprising receiving an acknowledgement of said displayed message via a user selection"* is met by Chen et al. that teach the acknowledgement of an alert by the use of an alert acknowledgement input device (318) (*Fig.4; col.4, lines 7-11 and col.9, lines 18-25 & lines 58-61*).

With respect to Claim **4**, the claimed *"comprising receiving said acknowledgement via a remote control that controls functions for said television"* is met by Chen et al. that teach the use of a remote control in acknowledging an alert (*col.4, lines 7-11 and col.9, lines 21-25*).

With respect to Claim 5, the claimed "*comprising terminating display of said generated message upon said receiving of said acknowledgement*" is met by Chen et al. that teach the termination of an alert message once a user acknowledges it (*Fig.5; col.4; lines 12-16; & col. 9, lines 58-67*).

With respect to Claim 6, the claimed "*wherein said alert indicates a status of at least said first device and a second device*" is met by Chen et al. that teach the use of two alarm event detectors (510,520) that can be integrated into a burglary alarm system, a fire alarm system, a washing machine overflow alert system, an elders emergency alarm system, a kitchen appliance malfunction alarm system, and/or the like. (*Fig.1; col. 5, lines 25-37 & 45-58*).

With respect to Claim 7, the claimed "*wherein the first device is located outside said home and said second device is located within said home*" is met by Chen et al. that teach the use of alert event detectors (510,520) can either be on-premise or off-premise and directly coupled to the intelligent processor (100) via a network (200). (*Fig.1; col.5, lines 26-37 & 51-58*).

With respect to Claim 8, the claimed "*comprising receiving said alert via at least one of a wired and a wireless connection*" is met by Chen et al. that teach a the reception of an alert by an intelligent processor (100) via a communication network (200), such as: a Public Switched Telephone Network (PSTN), a cellular network, a data network, an Internet Protocol (IP) network, an Asynchronous Transfer Mode (ATM) network, a circuit switched network, a Voice-over Internet (VOIP) network, a radio or television broadcasting network, and a cable network. (*Fig.1; col.2, lines 34-41*).

With respect to Claim **9**, the claimed *"comprising displaying said generated message for a predetermined period of time"* is met by Chen et al. that teach the displaying of an alert message until the time an alert acknowledgement is received by the user, either by a simple pressing of a button on a remote control or by the entering of a Personal Identification Number (PIN). (*col.4, lines 7-16; col.9, lines 21-34, 58-67*).

With respect to Claim **10**, the claimed *"comprising displaying said generated message in one or more of a pop-up window, a picture-in-picture (PIP) window and/or a banner on said television screen"* is met by Chen et al. that teach the displaying of an alert notification via a pop-up window, a picture-in-picture (PIP) window and/or a banner on a television screen. (*col.1, lines 61-67; col.3, lines 47-53; col.8, lines 54-59*).

Claims **11 & 21** are met as previously discussed with respect to Claim **1**.

Claims **12 & 22** are met as previously discussed with respect to Claim **2**.

Claims **13 & 23** are met as previously discussed with respect to Claim **3**.

Claims **14 & 24** are met as previously discussed with respect to Claim **4**.

Claims **15 & 25** are met as previously discussed with respect to Claim **5**.

Claims **16 & 26** are met as previously discussed with respect to Claim **6**.

Claims **17 & 27** are met as previously discussed with respect to Claim **7**.

Claims **18 & 28** are met as previously discussed with respect to Claim **8**.

Claims **19 & 29** are met as previously discussed with respect to Claim **9**.

Claims **20 & 30** are met as previously discussed with respect to Claim **10**.

With respect to Claim **31**, the claimed “*wherein said at least one processor is one or more of a media processing system processor, a media management processor, a computer processor, a media exchange software processor and/or a media peripheral processor*” is met by Chen et al. that teach the use of an intelligent processor (100) in receiving, generating, & displaying an alert notification to a user at a first location (Abstract; Fig.1&2; col.2, lines 27-32 & lines 42-46; col.3, lines 47-53; col.5, lines 26-29; col.6, lines 15-53).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jorge Mendoza Jr.** whose telephone number is (571) 270-5087. The examiner can normally be reached on Monday through Thursday 9:00 am –7:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Scott Beliveau** can be reached at (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/JORGE MENDOZA JR/
Examiner, Art Unit 2623**

**/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623**